

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of §  
BRITTANY CLEVELAND, §  
Vocational Nurse License Number 353450 §  
§

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BRITTANY CLEVELAND, Vocational Nurse License Number 353450, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Certificate in Vocational Nursing from Galen College of Nursing, San Antonio, Texas, on March 24, 2020. Respondent was licensed to practice vocational nursing in the State of Texas on May 1, 2020.
4. Respondent's nursing employment history includes:

5/2020 – 6/2020

Unknown

Respondent's nursing employment history continued:

7/2020- 1/2021

Licensed Vocational  
Nurse

Hill Country Mental Health and  
Developmental Disabilities  
Center, Kerrville, Texas

2/2021 – Present

Unknown

5. Formal Charges were filed on December 30, 2021. A copy of the Formal Charges, dated December 30, 2021, is attached and incorporated herein by reference as part of this Order.
6. On August 10, 2022, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated July 22, 2022, is attached and incorporated herein by reference as part of this Order.

### **CONCLUSIONS OF LAW**

1. Pursuant to Texas Occupations Code, Sections 301.451 - 301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B),(1)(D),(1)(M),(1)(P)&(2)(A) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13)(effective through 8/31/2021), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 353450, heretofore issued to BRITTANY CLEVELAND, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

### **TERMS OF ORDER**

NOW, THEREFORE, IT IS ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 353450 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself/himself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 10<sup>th</sup> day of August, 2022



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Katherine A. Thomas, MN, RN, FAAN  
Executive Director on behalf  
of said Board

BRITTANY CLEVELAND  
21300 Hwy 16 N Unit 201, Medina, TX 78055  
LVN LICENSE NUMBER 353450

Voluntary Surrender Statement

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice nursing in the State of Texas. I consent to the entry of an Order with findings reflecting the alleged conduct and which outlines requirements for reinstatement of my license. I understand that I can be represented by an attorney in this matter. I waive attorney representation, notice, administrative hearing, and judicial review of the Order entered by the Board. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature: *Brittany Cleveland*  
Date: 7/22/22  
LVN LICENSE NUMBER 353450

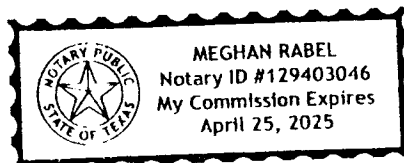
The State of Texas

Before me, the undersigned authority, on this date personally appeared BRITTANY CLEVELAND who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me the 22 day of July, 20 22.

SEAL

*Meghan Rabel*  
Notary Public in and for the State of Texas



**In the Matter of  
Permanent Vocational Nurse  
License Number 353450  
Issued to BRITTANY CLEVELAND,  
Respondent**

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**BEFORE THE TEXAS  
BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, BRITTANY CLEVELAND, is a Vocational Nurse holding license number 353450 which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

### **CHARGE I.**

On or about October 1, 2020 through October 31, 2020, while working as a Licensed Vocational Nurse with Hill Country Mental Health and Developmental Disabilities Center, Kerrville, Texas, and providing care for Patient Medical Record Number 9222, Respondent failed to review the patient's Medication Administration Record ("MAR") and physician orders; she failed to follow up by scheduling the necessary physician appointments; and she failed to notify her supervisor, the physician, and/or the pharmacy that the patient required refill orders for his medications. Subsequently, the patient went without his physician ordered:

- Lexapro 10 mg daily from October 1, 2020 through October 31, 2020,
- Depakote ER 250 mg three times daily ("TID") from October 3, 2020 through October 27, 2020,
- Clonazepam 0.25 mg two times daily ("BID") from October 6, 2020 through October 31, 2020,
- Benztropine 1 mg BID from October 11, 2020 through October 27, 2020,
- Keppra 1000 mg BID from October 16, 2020 through October 29, 2020, and
- Zyprexa 2.5 mg BID from October 20, 2020 through October 28, 2020.

Respondent's conduct likely injured the patient due to physician ordered medications for seizures, mental health disorders, and Parkinson's Disease not being administered.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13) (effective through 08/31/2021), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D),(1)(M),(1)(P)&(2)(A), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

## **CHARGE II.**

On or about October 6, 2020 through November 31, 2020, while working as a Licensed Vocational Nurse with Hill Country Mental Health and Developmental Disabilities Center, Kerrville, Texas, and providing care for Patient Medical Record Number 9462, Respondent failed to review the patient's MAR and physician orders; she failed to follow up by scheduling the necessary physician appointments; and she failed to notify her supervisor, the physician, and/or the pharmacy that the patient required refill orders for his medications. Subsequently, the patient often went without his physician ordered Lisinopril, Buspirone, Clonazepam, Prozac, Depakote, Abilify, Elliquis, Tramadol, Omeprazole, Oxybutynin Chloride ER, and Melatonin. Respondent's conduct likely injured the patient due to physician ordered medications for seizures, hypertension, mental health disorders, and chronic heart failure not being administered.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13)(effective through 08/31/2021), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D),(1)(M),(1)(P)&(2)(A), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

## **CHARGE III.**

On or about October 19, 2020 through October 25, 2020, while working as a Licensed Vocational Nurse with Hill Country Mental Health and Developmental Disabilities Center, Kerrville, Texas, and providing care for Patient Medical Record Number 2678, Respondent failed to review the patient's MAR and physician orders; she failed to follow up by scheduling the necessary physician appointments; and she failed to notify her supervisor, the physician, and/or the pharmacy that the patient required refill orders for his medications. Subsequently, the patient went without his physician ordered Sulfamethoxazole 1 tablet BID, and Cariprazine 4.5 mg daily. Respondent's conduct likely injured the patient due to physician ordered anti-infective and antipsychotic medications not being administered.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13)(effective through 08/31/2021), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D),(1)(M),(1)(P)&(2)(A), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

## **CHARGE IV.**

On or about October 4, 2020 through December 31, 2020, while working as a Licensed Vocational Nurse with Hill Country Mental Health and Developmental Disabilities Center, Kerrville, Texas, and providing care for Patient Medical Record Number 2811, Respondent failed to review the patient's MAR and physician orders; she failed to follow up by scheduling the necessary physician appointments; and she failed to notify her supervisor, the physician, and/or the pharmacy that the patient required refill orders for her medications. Subsequently, the patient went without her physician ordered Chlorhexidine 0.12% rinse ½ ounce BID from October 26, 2020 through October 31, 2020 and from November 23, 2020 through November 30, 2020. The patient also went

without her physician ordered Nystatin 100,00 Unit/gram cream BID from October 4, 2020 through October 31, 2020 and from November 19, 2020 through November 30, 2020. Respondent's conduct likely injured the patient due to physician ordered medications for oral infections and fungal skin infections not being administered.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13)(effective through 08/31/2021), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D),(1)(M),(1)(P)&(2)(A), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

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NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license(s) and/or privilege(s) to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33.

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

Filed this 30th day of December, 2021.

TEXAS BOARD OF NURSING



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